

***United States Court of Appeals
for the Second Circuit***



**APPELLEE'S
APPENDIX**

Docket No.

76-1381

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA

Appellee

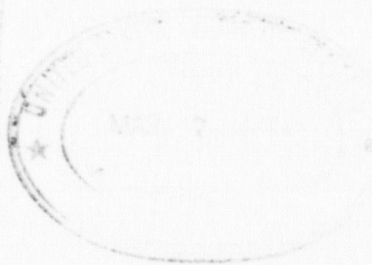
v.

DANIEL H. GEORGE, JR.

Appellant

Appeal from the United States District
Court for the District of Vermont

APPENDIX FOR THE UNITED STATES



GEORGE W.F. COOK
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evidence

Case No. B7450015
 Exhibit R
 Date of Seizure
 or Purchase
 Sealing Official
 Witnessing Official
 Lab No.
 Date Opened By Lab
 Gross Wt. After Analysis

1. 1/2 lb. of ...
 2. 1/2 lb. of ...
 3. 1/2 lb. of ...
 4. 1/2 lb. of ...
 5. 1/2 lb. of ...
 6. 1/2 lb. of ...
 7. 1/2 lb. of ...
 8. 1/2 lb. of ...
 9. 1/2 lb. of ...
 10. 1/2 lb. of ...

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 6. 1/2 lb. of ...
 7. 1/2 lb. of ...
 8. 1/2 lb. of ...
 9. 1/2 lb. of ...
 10. 1/2 lb. of ...

2071 - Spiking density
 230 - Spiking density
 222 - Spiking density
 202 - Spiking density

170 mts
 200 mts
 130 mts

for pump
 (handwritten)

HA
1-7-75

GX22

Jan 7, 1976
Kth

I. 595 mls Rd D and 22 gms Ra C and 2-3 boiling chips, mixture is heated to constant temp. of 160.

II. Add over a 1 hr period through the addition funnel 500mls deltamine and 215 mls Rd A (prev combined) Heat mixture to 180 and hold at this temp. for 2 hrs at atmospheric pressure.

5:30 - 8:30

III. Distill off the by products of x-c solvents at temp. of 90-115 abt. 360-400 mls. Discard. Disconnect v. s. sys. 27-28-30

1350 → 350 mls. 5 full Δ of 100 mls.

IV. Add 750 ml and boil moderately for 1 hr.

rev. procedure:

20 H2O

21 is Ba

22 mls Ba

NaOH pellets - transfer top layer into flask. Do not add H2O.

Distill c vac. system for about 1 hr. at temp.

of approx 100-110.

(control air inlet c valve adjustment) the higher the vac the more bumping will occur-use max vac if reactn is under control, apprx 80-near the end of the reaction increase temp to 90-110 by decr. the vac.

1-20 T=75
T=91

1120 - 1100 - VOL.

V. Distill oily layer in flask leaving a dark brown residue; no liquid will remaining and temp will rise abruptly. Residue is insoluble.

* → 9070
ph 66

VI. Pure liquid amine in receiver- refer to notes-transfer to beaker; and 300 (400) mls H2O and follow prev. notes.

1 mol ketone reacts with 1 mole CH3 amine yield=16%

Carbon- 10-20 dry ice.
1 pt. H2SO4-hot and violent reaction.

12.72 - 15.0

I. Add 670 mls. Rd.A into the 3 necked flask. and 1 liter of Rd.B is added slowly with cooling and stirring. (ice bath optional)

In addition to the 1 liter of Rd.B-test solution and add Rd.B until soln. is just slightly basic-ph of 7-8** above 7 but should be 8- or turns red litmus paper blue.

NOTE * $\Delta = P_2P$
* $B_2 = B_2C_2H_5NE$

2/17/76
FJE
2/17/76



II. Add 2-3 marble boiling chips-heat mixt. until the temp. is above 110-as vigorously as desired. Throw away the distillate-now making a conc. (flask being 3/4 full = 1/2 full) Approx 500-700 mls H₂O from a total vol of 1670 mls. DISCONTINUE HEAT.

III. Add 30 gms. of Rd.C. (crystals).

IV. Add 60 mls. delta (P_2P)

V. A. Heat flask thus distilling the by prdts. of water, vapors, etc.

B. Temp. of 150-155 abt 2-3 hrs. thus making the mixt. homogeneous or straw yellow.

C. Continue heat until 185, then stop.

VI. At this time any delta which has been distilled is transferred from the receiver back into the flask-being the oily layer on the top.; and milky aqueous layer on the bottom. This is accomplished by placing in the small sep. funnel and discarding the bottom aq. layer. Delta is on the top-poured back into the flask -which is cool now and.

VII. Flask is cool now, continue heat for 3 hrs at 180-185. Allow to coll overnight or with rapid cooling in a water bath for 2 hrs.

STOP POINT IF DESIRED

VIII. After the mixture is cooled- extract with with 800 mls H₂O. The prdt. layer is on the bottom (oily yellow) put back into the flask with the boiling chips and then extract the aq. layer with 2 separate portions each-120 mls of B₂ which will be on the top and the prdt layer on the bottom-being put back into the flask. Discard aq. layer now on the bottom afterwards.

* $B_2 = B_2C_2H_5NE$

IX. Add .650 L HCl into the flask and boil slowly until approx, all the B₂* at 80-88 has been collected. Measure abt. 220-230 mls B₂ off. Discard.

X. Boil gently at the boiling point and time for 1 1/2 (90 min.) after collecting the B₂*
transformer = 0-1140 Voltage
start at 80-90 and then determine.

XI. After 1 1/2 hrs. heat-allow mixture to cool- STOP POINT IF DESIRED.

Recd
2/17/76
FYE
2/17/76

XII. Extract the mixture with 200mls Bz^{*} after adding 200mls H₂O into the sep. funnel. Shake abt. 1/2-1 minute max. vigorously. Do not allow any gas or vapor to escape off.

XIII. Extract again with 3 separate 120 mls Bz^{*} and discarding the top Bz layers in all 4 portions, each time.

XIV. Place the collected mixture into a large 2 liter Erlenmeyer flask with hand stirring and cooling (ice or water bath optional). NaOH pellets are added a teaspoonful at a time until the oily layer rises to the top or separates to the top, thus making the reaction complete (approx 1/2-3/4 #). H₂O and salt layer is on the bottom-oily layer on top.



XV. Transferred the oily layer into the necked flask which has been washed out, through the use of a separatory funnel- discard bottom layer of salt and water-may have to add some H₂O.

Add 100 mls H₂O and commence steam distillation at the boiling (as rapidly as possible at max. boiling rate) Distillate in the receiver is put into the sep. funnel. Aq. layer on bottom is placed back into the flask each time. Amine is at the top. H₂O is used to drive off the amine. Watch temp. if above 120 or if the reaction smokes-then the mixt needs water. It should boil at 100 and less than 110. 102-103 but never above 120. Keep adding water- as much as 500mls-but reaction is faster with less water.

XVI. Continue steam distillation until all of the prdt. is distilled-all the oily amine. Also as a test- red litmus turns just slightly blue.

(amines turn red litmus strongly blue immed)
Now discontinue steam distillation.

XVII. Transfer the clear oily layer with approx 200mls water in it or add sufficient water to=200mls. into a beaker- adding the pyro stirrer-amine in the basic form of a liquid- adding acid 1 mole at a time to convert into the amine HCl salt.

***Add HCl soln. gradually with stirring until 2 layers disappear and 1 layer is formed. adding a dropperful at a time. Must Not GO OVER the Neutralization point. Cautiously add HCl after 1 layer is formed. Now add a drop at a time. Ph of 14 and will approach 7 and now using smaller portions each time.

Testing with a stainless steel knife. At ph 8-continues slowly to ph 6.5 or blue litmus red. If you go to ph of 6-might still be O.K.

XVIII. Turn on heat- evaporating to isolate the amine HCl in soln. Turn on full heat and maximum stirring-turning the heat down as the water evaporates. B.P. at 100. Near the end-gradually lower the temperature.

Dip in a cool knife-move around with another knife- and at the proper point-it will solidify with water in it and at the end it will solidify in a dry, solid white crystal.

PROCEDURE

page three(3)
OBSERVATIONS

XIX, When it solidifies into a dry, hard crystal-
stop heat and continue stirring and allow
to rise to room temperature. Take out stirring
bar and stir with hand. At this time you may
add the cutting agent to get a uniform prdt.
When at room temp. cover with plastic and
pour into a mold if desired; keeping dry and cool.
Add approx 50% cutting agent when cooled add
max. cut desired;

colors of prdts; yellow-contains Bz; pink-slightly x-c delta;
brown-worst prdt-contains resins, Bz and harmful
products and has been overheated.

yield==60%(of 670mls) approx ^{14-17oz} 12-13-14oz pure prdt. End.

80-85%
95-98% 99%



ACKNOWLEDGMENT
OF YOUR ORDER

SciChemCo

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EVERETT, MASS. 02149
TEL: 389-7000

CUST. ORDER NO. _____ DATE 7/1/75 197

NAME Al George

ADDRESS _____

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RET.	PAID OUT
QUAN.	DESCRIPTION			PRICE		AMOUNT
	776 1/2					168 50
				Tax		506
				Total		173 56

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.

0788

REC'D BY *12/16/11*

UNIT PRICE	AMOUNT
	3900
970	3880
	233
TOTAL	8013

NOTE

Remove Unit Price
and Total Strip
unless Priced,
Packing List is
requested by
Customer

.) DAYS.

SDan George,
D
L
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VIA
Cal
QUANTITY UNIT

AREA

DOE &
INCO



25 COMM
MEMPHIS, TN
ASSACHUSETTS 02108
CODE (617) 391-0090

ST-AND TO

DESCRIPTION

C/S

YOUR ORDER NO

DATE ORDERED

ORD, MA

Hydrochloric Acid Reag.

7-1-75
J.A.

COMPANY NAME

CUSTOMER'S COP

UNIT	PRICE

Pa

Sales Tax

Hydroxide USP
Acid Reag.

No. 69826

3 5 0
4 3
1 5
2



RECE

36.00

13.00

11.13

60.13

1.80

61.00

QUANTITY ORDERED	UNIT	FISHER'S CATALOG NUMBER	SIZE AND DESCRIPTION
1	EA	1-1-75	1GT



GOVERNMENT
EXHIBITS

34



40



47



GOVERNMENT
EXHIBITS

49



51



52

Q Was there any discussion of what the source would be?

A. Yes. Mr. Amero informed me one of his associates, Linwood Lamotte, was an accomplished chemist.

Q Did you have dealings with Mr. Lamotte in the dealings of amphetamine?

A. Yes, we did.

Q Describe your first experience.

A. Our first experience was that he made, manufactured a batch of amphetamines for us from a bottle of chemicals we had purchased through Peter Amero.

Q What was the quality of the Speed?

A. A poor quality; a lot of impurities.

Q How much did you pay for the P2P?

A. We paid \$600 for that bottle of P2P.

Q Did you do any other manufacturing with Mr. Lamotte?

A. No. We found him totally uncooperative and unreasonable in prices.

Q Thereafter, did you develop another source?

A. Yes. We persuaded James Pratt and Peter Amero to introduce us to the source they were receiving chemicals and equipment and their drugs.

Q Who did they introduce you to?

A. To Daniel George, Jr. of Gloucester, Massachusetts.

Q And, was any fee involved, any type of fee involved, in that introduction?

A. Yes. We paid them a fee of twenty-five hundred dollars for the introduction.

Q When you say "we," who do you mean?

A. Jay Leavitt and myself.

Q How was the fee of twenty-five hundred dollars arrived at?

A. It was a figure that was given to us by three individuals.

Q And, what denominations did you pay the twenty-five hundred dollars?

A. We gave them five hundred dollar bills.

Q Who did you give it to?

A. Peter Amero and James Pratt.

Q What was it to cover?

A. The introduction to Daniel George and their fee.

Q Was there any equipment of any type involved?

A. Not at that point.

THE COURT. We'll take our noon recess, Mr. O'Neill, at this point. We'll resume at 1:30. Ladies and gentlemen, please don't discuss the case with anyone during the noon hour.

(Court recessed from 12:00 noon - 1:30 p.m.)

KENNETH T. LOTFY resumed the stand for further direct examination.

THE COURT. Mr. O'Neill.

Q (By Mr. O'Neill) Mr. Lotfy, I think one of the last

questions I inquired about prior to the noon recess was the fee of twenty-five hundred dollars you had paid. I am not sure where I left off. I will backtrack. Who did you pay the twenty-five hundred dollar fee to?

A. It was given to Peter Amero and James Pratt.

Q What was the purpose of the twenty-five hundred dollar fee?

A. The purpose was to give them a certain fee for meeting Mr. George. They were to receive a thousand dollars of the twenty-five hundred dollars.

Q What was to happen to the other fifteen hundred dollars?

A. That was to go to Mr. George for the introduction and initial shipment of equipment and chemicals.

Q Did you, thereafter, have occasion to meet Mr. George?

A. Yes, I did.

Q Where did this meeting take place?

A. In Gloucester, Massachusetts at a home on Marsh Road.

Q Did you make further payments thereafter to Mr. George?

A. Yes, I made another fifteen hundred dollar payment to him.

Q Now the first time you met Mr. George, what discussions did you have with him?

A. We had discussions about the making, manufacturing of methedrine and also the synthesis of phenyl two propnone, also called P2P.

Q You discussed methedrine. What is methedrine as compared to methamphetamine or amphetamine?

A. Methedrine is a generic name; methamphetamine is a hydrochloride, and amphetamine is another name for Speed.

Q And, are methamphetamine and amphetamine similar in terms of their characteristics?

A. They are similar, methamphetamine being the stronger of the two.

Q Methedrine is the same as methamphetamine?

A. That is correct.

Q And, you used the term "Ketone"?

A. Ketone refers to the general group of chemicals and phenyl two propion, or P2P, falls in that group.

Q What arrangements did you make with Mr. George when you first met him?

A. Arrangements made upon the payment of fifteen hundred dollars, he would give me detailed oral notes on the synthesis of methedrine.

Q Would you explain what you mean by detailed oral notes?

A. Yes...He would dictate to me one page of notes at each session on the exact steps, procedures and methods of producing methedrine by the long time process.

Q You said for the synthesis of methedrine. What do you mean?

A. Synthesis means manufacture.

Q What did you indicate in terms of your willingness to pay

this money over to him?

A. I told him I was willing to meet that price.

Q Who were you doing this in association with? Anyone else?

A. Yes, in corporation with Mr. Jay Leavitt.

Q Thereafter, did you have a meeting with Mr. George to go into this oral dictation, as you described it?

A. Yes.

Q Where did the first session take place?

A. At his house; outside his house on the lawn.

Q Approximately how long did it last?

A. About 2-1/2 hours.

Q Basically, what took place at that session?

A. The payment of five hundred dollars for each session, he would dictate one page, the equivalent of one page, of type written notes to me.

Q You say the equivalent of one page. What do you mean?

A. I would take the notes in longhand and go out and type them out and return at a later date and read them back to him. There were several pages of handwritten notes, but it amounted to a page of typewritten notes.

Q What, if anything, did Mr. George say concerning the use of this oral dictation procedure?

A. Mr. George informed me he would never, at any time, give me any documents or anything, or signature on any formal papers, so he would never be able to be implicated

should we be apprehended or arrested.

Q Did Mr. George say anything to you about supplying you with chemicals or equipment of any kind?

A. Yes, we discussed the supply of chemicals and equipment.

Q Now when Mr. George gave you the oral dictation, did he name for you all the chemicals, or how did he handle them?

A. Certain chemicals he named and other chemicals were coded in the form of "A" through "E".

Q Did Mr. George say anything to you about why he used the terms reduct "A," "B," "C," "D" and "E"?

A. Yes, this was so we could not purchase these chemicals without his help, therefore, eliminating him from the operation and his part of the profit.

Q How many occasions did you take these oral notes?

A. Three occasions.

Q What would you do after receiving the notes on each occasion?

A. I would go home, type them up and return the following week to Mr. George and read them back to him, and he would correct me if I made any mistakes.

Q How long did you keep the typed notes in your possession?

A. Up until 1975.

Q What did you do with the typewritten notes, thereafter?

A. Surrendered them to the D.E.A. agents in Boston.

Q Was it surrendered to anyone in Burlington?

A. I surrendered the short version of the notes to the head agent of the Burlington office.

Q Agent Handoga?

A. Yes, Agent Ted Handoga.

Q Was Agent Burttram present at that time?

A. No, Agent Anderson.

Q In addition to giving you the oral dictation you just described, did you receive any other dictation for any other substances?

A. Yes, I received a detailed oral dictation for the synthesis of phenyl 2 propion.

Q P2P?

A. P2P.

Q When did you receive those?

A. I received those notes during the summer of 1974, in Boston.

Q Where did you record those notes?

A. I recorded them on the back sheet of my short version of my laboratory procedure notes, in pen.

Q DEPUTY CLERK CURRAN. Government's Exhibit "22" for identification is a plastic bag with notes enclosed.

Q (By Mr. O'Neill) Mr. Lotfy, I show you what is marked as Government's Exhibit "22" for identification and ask if you can identify that, sir? (Handed to the witness)

A. Yes, I can.

Q Would you do so?

A. These are my laboratory notes for the manufacture of methedrine.

Q Now, we have two sides here. Which side are you referring to?

A. The side that is typewritten is the process for the quick method of producing amphetamines.

Q How did you obtain that method for the quick method of producing amphetamines?

A. From oral dictation from Mr. George.

Q Turning it over so we are on the back side, what is contained on the back side?

A. The back side of my notes, my handwritten notes, are the temperatures, quantities and ingredients for synthesizing phenyl 2 propion, which I received from Mr. George while I was in the process of making ketone in his presence.

Q Looking at Government's Exhibit "22" and specifically the contents that appears to be somewhat worn and so forth, how does the appearances of that particular document compare at the present time as to the time when you gave it to the special agents Handoga and Anderson in Burlington?

A. I would say it is identical.

DEPUTY CLERK CURRAN. Government's Exhibit "23" for identification is a plastic bag with notes enclosed.

Q (By Mr. O'Neill) Mr. Lotfy, I show you what is marked as

Government's Exhibit "23" for identification. (Handed to the witness) Would you identify that, sir?

A. Yes. These are my typewritten notes for the long process of manufacturing amphetamine drugs.

Q There is a Page 1 here on top?

A. Yes, a Page 1 marked up by me.

Q And, underneath are other pages, but you can't read because of the plastic, is that correct?

A. Yes, that is correct.

Q Would you take this pair of scissors and cut off the top part of that envelope please? Cut it right across like this, being careful not to cut the sticker. (The witness did so)

DEPUTY CLERK CURRAN. Government's Exhibits "23A, B, and C" for identification are notes.

Q (By Mr. O'Neill) Mr. Lotfy, I show you what are marked as Government's Exhibits "23A, B and C" and ask if you can identify those, sir? (Handed to the witness)

A. Yes. These are my notes.

Q You say, your notes. Did those come out of the plastic envelope marked Government's Exhibit "23"?

A. Yes.

Q What did you do with those notes? At some point in time, did you surrender them yourself?

A. Yes, I gave them to the Boston D.E.A. Office; Special

Agents Frank Elliot and Robert Hosty.

Q Look over the notes and tell us how they compare there to the condition they were in? Any marks thereon as compared to the time you gave them to Agents Elliot and Hosty?

A. They are the same, with my initials.

Q Where are your initials?

A. On the top.

Q Are there other initials on here, not yours?

A. Yes, D.E.A. agents in Boston.

MR. O'NEILL. Your Honor, the Government, at this time, moves the admission of Government's Exhibits "22," "23," and "23A," "B," and "C".

MR. CLEVELAND. Based, obviously, on the complexity of these notes, unless the Court wants we to read them with my client, I suggest we have a small recess so I can review them with my client, before I can make a proper announcement about objections. They are quite complicated and detailed. I will need a few minutes.

THE COURT. Mr. O'Neill?

MR. O'NEILL. I don't know how the Court considers it, but we are willing to go on to something else and leave it to Mr. Cleveland at a later point in time.

THE COURT. Do that.

Q (By Mr. O'Neill) Now, after you received the oral dictation you described---withdrawn. How was Speed, or amphet-

mine, or methedrine, or methamphetamine referred to in any special way?

A. Mr. George.

Q By whom?

A. Mr. George always referred to the amphetamine or methedrine with the code name product.

Q Was there any reference for laboratory equipment?

A. Supplies.

Q Now I think you indicated Mr. George dictated to you a P2P synthesis process. Did he indicate any reason why he dictated that to you?

A. Yes, he told me that this was a new process developed by him which he researched at the M.I.T. laboratories. It wasn't known to any other people in the chemical field, and for the same reason as the previous notes, he could not give me anything written down on paper by himself unless he be implicated in any conspiracy should the notes fall into the wrong hands.

Q Did Mr. George say anything concerning the commercial availability of P2P?

A. Yes, he said it was available commercially, but a substance which was heavily monitored by the Federal Government and was, therefore, unwise to purchase it.

Q Now, what type of equipment, if any, did Mr. George indicate was necessary for the synthesis of P2P?

- A. We needed new glassware, an expensive vacuum pump and distillation apparatus which operated at a reduced atmosphere pressure.
- Q Did Mr. George say where you could obtain this?
- A. He said for a fee of twelve hundred dollars, he would be more than happy to supply us with this equipment.
- Q Did you pay the fee of twelve hundred dollars?
- A. Yes, we did.
- Q What did you receive in return, basically?
- A. All specialized reduced atmosphere pressure hoses, glassware and a vacuum pump.
- Q And, what was the next step in the process?
- A. We then, after the dictation of the notes on the synthesis of P2P, ran a semi-microbe scale production in the process of ketone.
- Q Where did this take place?
- A. This took place in a third floor apartment in the Mission Hills section in Boston, located on Station Street.
- Q Who was present?
- A. Mr. George, Mr. Leavitt and myself.
- Q How much was produced?
- A. We produced approximately 3 to 5 ccs of phenyl 2 propion.
- Q Where did you get the equipment and chemicals to manufacture this?

A. From Mr. George.

Q Was there any discussion between yourself and Mr. George what you were going to use the P2P for?

A. Yes, this was the necessary ingredient for making any and all amphetamine derivatives.

Q Any type of dry run used in connection with the manufacture of amphetamine?

A. Yes, previous to the Station Street location of the laboratory, we were located on the North Shore in Gloucester, Massachusetts, the Brineneck section of town, at which place a dummy run was made with Mr. George instructing Mr. Leavitt and myself and substituting in place of P2P, P3P or other coded chemical. I don't know the name of.

Q Who suggested the dummy run?

A. Mr. George recommended a dummy run because the reaction is color and it would be identical to the real McCoy.

Q Did Mr. George indicate anything concerning his willingness to be present during the dummy run?

A. Yes, he was present at that time. It was a totally innocuous product we obtained.

Q Where was the location?

A. Rented a cottage in the Brineneck section of Gloucester, Massachusetts.

Q Who arrived at this particular location in terms of who picked out the location?

A. Myself and Mr. and Mrs. Jay Leavitt.

Q What influenced your choice of this location?

A. Well, as usual, it is remote, its remoteness, seclusion and its general nature of not being close to any other cottage.

Q Who suggested you get a remote location?

A. Mr. George recommended we always choose a secluded, isolated cottage away from neighbors because of the pungent odors that arise from the chemical reaction.

Q This was during the summer of 1974?

A. That is correct.

Q What time of day were the test runs, so to speak?

A. We always started around 6:30 a.m.

Q How did the parties get together?

A. Mr. George would come to the site of the laboratory on foot, which wasn't too far from his house, and Mr. Leavitt or myself would give him a ride home at night.

Q Where did you obtain the chemicals with which to do this test run?

A. From Mr. George.

Q How were the chemicals coded?

A. The chemicals were coded--I am sorry, is this the dummy run?

Q Dummy run.

A. They were coded "A" through "E".

Q Where did you obtain those?

A. From Mr. George.

Q And, was Mrs. Joan Leavitt present?

A. Yes, she was present periodically for a reaction.

Q What, if anything, did she do in terms of the dummy run?

A. She observed from time-to-time the chemical reaction that took place.

Q Was she a participant?

A. I never allowed anyone to participate in my reactions.

MR. COSGROVE. The answer stands as "No," your Honor. I move to strike everything after that as not responsive.

THE COURT. All right, we'll strike that part as not being responsive to the question as framed and instruct the jury to disregard it.

Q (By Mr. O'Neill) Was there any discussion at that location of the manufacture of Speed?

A. Yes, there was.

Q Who was present during those discussions?

A. Mr. George, Mr. and Mrs. Jay Leavitt, and myself.

Q Now following the test run, was this when the P2P was synthesized?

A. Yes. After the test run P2P was synthesized at a Boston location.

Q Now I think you indicated you, Mr. George and Mr. Leavitt

synthesized 35 ccs. initially?

A. Right.

Q Following that, how much was made there?

A. Approximately 500 ccs.

Q Where did you obtain the equipment and chemicals?

A. From Mr. George.

Q What did you and/or Mr. Leavitt do thereafter with the P2P?

A. We proceeded to manufacture pure amphetamine with it.

Q Do you recall approximately how much you manufactured?

A. Yes, we had a total yield of ten to twelve ounces of 100 per cent pure amphetamine rock.

Q During the manufacturing process, did you have occasion to consult anyone?

A. Yes, we had problems with the reaction so we did contact Mr. George by telephone to discuss the problem of the reaction and he would advise us how to alleviate the problem.

Q Were you successful the first run?

A. Yes, very successful.

Q I think you indicated at this point in time you were on Station Street in Boston?

A. That is correct.

Q Who was residing there at that point in time?

A. Myself, Mr. and Mrs. Leavitt.

Q Who was present during the manufacturing process?

A. Myself and Jay Leavitt.

Q Was there any odor given off by the manufacturing process?

A. Yes, a very pungent, unripe-type odor. It varied as to the stage the reaction was in.

Q During--did any of those present there use any of the Speed that was manufactured?

A. Myself, and Mr. Leavitt tested it first; a few milligrams.

Q What about Mrs. Leavitt?

A. No, she did not.

Q Now was there a point in time when you met with Mr. George with respect to this Speed?

A. Yes, there was.

Q And, approximately how long after it was manufactured did this take place?

A. I met Mr. George the following day on the banks of the Charles River opposite M.I.T. Research Laboratories.

Q What discussion did you have with Mr. George?

A. We discussed the reaction and the total success of the reaction, and I took out a vial of the white crystalline amphetamine rock and showed several chunks to Mr. George.

Q And, what did Mr. George say about it?

A. He said he was highly pleased with my results of the first reaction. If he were rating it on a scale "A"

through "D," he would rate it A minus.

Q Any discussion at that point in time during the meeting on the banks of the Charles with Mr. George with respect to obtaining other chemicals?

A. Yes, there was.

Q What was said in that respect?

A. I told him we now needed larger quantities of chemicals to make more amphetamine each time.

Q What, if anything, did Mr. George indicate in terms of supplying it?

A. He told me how much it would cost, and I told him I would get the money to him.

Q Mr. Lotfy, to back up here for just a moment, now that I found what I was looking for, I show you what are marked as exhibits in evidence, Government's Exhibits "16," "17," "18" and "19" and ask if you can identify the premises depicted in those photographs, and as you are looking at a particular photograph, I would appreciate it if you give us the exhibit number you are looking at, please. (Handed to the witness)

A. Exhibit "16" clearly shows the Wingersheek location.

Q This was the summer of 1974 location?

A. That is correct.

Q And, during the summer of 1975, did you have occasion to see any type of automobile being used by Jay Leavitt?

A. Yes.

Q What type of automobile was that?

A. A 1972, approximately a 1973 blue Vista Chrysler station wagon.

Q Would you look at the photographs and see if you see a car which appears to be similar to that, or is that the one?

A. Exhibit "16" shows the station wagon.

Q Is it marked in any way on that photograph?

A. Yes, it is marked with a blue circle.

Q Now, did you have occasion at that point in time to ascertain from Mr. Leavitt as to whether or not he used again this location?

A. Yes, he told me the end of last summer he was using the Wingersheek location again which we used the previous summer which was now being used as a summer home by his wife's cousin, Mr. Pappalardo.

Q Who rented the location in the summer of 1974?

A. Summer of 1974, Mr. and Mrs. Leavitt rented the cottage.

Q And, to get back to where we were following the manufacture of the ten ounces on Station Street, what did you do with your part of the ten ounces?

A. I sold it to my customers.

Q What did Mr. Leavitt do with his?

A. Sold some on the North Shore, took a portion---

MR. COSGROVE. May we have some background as

far as knowledge on this particular statement?

THE COURT. I think you can inquire on cross examination, Mr. Cosgrove. We'll take the answer.

A. Mr. Leavitt took most of his portion to the North Shore area with the exception of one ounce which was diluted with dextrose which he took to Vermont.

Q (By Mr. O'Neill) How did you know this to be the case?

A. Because he borrowed an automobile from a friend of mine which he told me was to be brought to Vermont in exchange for a bottle of a certain chemical, which he did.

Q And, you say he told you this. Are you referring to your other friend or Mr. Leavitt?

A. Mr. Leavitt.

Q Did Mr. Leavitt tell you who was going with him on the trip?

A. Yes, his wife, Joan Leavitt.

Q Thereafter, was any more manufacturing done at that location?

A. No, we decided that the laboratory site would be moved next.

Q And, who packed up the laboratory on this occasion?

A. I packed up the laboratory and the Leavitts were in Vermont.

Q How much space---

MR. COSGROVE. May that be stricken "the

Leavitts were in Vermont"?

MR. O'NEILL. It was testified to.

MR. COSGROVE. No.

MR. O'NEILL. He said Joan and Jay Leavitt went to Vermont.

THE COURT. Yes, he did.

MR. COSGROVE. He said, Jay said they did.

THE COURT. We'll strike the answer, and the jury will disregard it. Rephrase the question, if you wish.

MR. O'NEILL. Certainly, your Honor.

Q (By Mr. O'Neill) Mr. Lotfy, were the Leavitts present when you packed it up?

A. No, they were not.

Q What did you do while they were gone?

A. I washed the equipment, packed it in several cartons.

Q When you say "several cartons," how much room did it take up when packaged?

A. Actually, packaged it in insulated packages, probably seven to eight cartons.

Q How large were the cartons?

A. Fairly normal cardboard boxes, say hold four gallon jug containers.

Q At this point in time did you obtain any more chemicals?

A. Yes, we did.

Q What did you obtain, and what was the source?

A. We obtained a bottle of P2P.

Q What was the source of that?

A. The source was in Vermont.

Q Did you obtain any more chemicals thereafter from Mr. George?

A. Yes, additional chemicals from Mr. George.

Q How were the chemicals picked up?

A. The chemicals were picked up by our giving Mr. George our rented vehicle in the morning, and the money, and he would return in the evening with our vehicle and the chemicals in the trunk.

Q After the Leavitts returned from being gone, where did you and/or they go thereafter?

A. They proceeded to the Cape Cod area.

Q How did they go?

A. They went with a rented vehicle.

Q Who rented the vehicle?

A. Joan Leavitt.

Q What other vehicle was available at that point in time?

A. An old Bonneville Pontiac a friend of mine owned with Rhode Island plates.

Q And, how would the location be picked out that you and they were going to?

A. Mr. and Mrs. Leavitt went to Cape Cod and found a

secluded cottage in the Town of Chatham, Massachusetts.

MR. COSGROVE. May that be stricken, your Honor?

THE COURT. I think that is responsive, Mr. Cosgrove. We'll let the answer stand.

Q (By Mr. O'Neill) How was the location arrived at, if you know?

A. Mr. and Mrs. Leavitt chose the location.

Q Now at that point in time, were you using P2P in the manufacturing process?

A. Yes, we were.

Q Was there a point in time here when you began having difficulty obtaining P2P?

A. Yes, sir. Mr. Daniel George informed us that the supply of the necessary chemical ingredients for the manufacture of P2P were becoming more scarce at this point. Therefore, we looked for another source.

Q Now, the rented vehicle used in transportation, do you know where that vehicle was rented from?

A. Came from the Haverhill area.

Q Do you know how it was paid for?

A. It was paid for with the use of Mrs Leavitt's master charge card.

Q Now during this period of time, did you have any contact with Wayne or Norman Holden?

A. Yes. They were calling up very often at my home location.

Q And, did Mr. Leavitt say anything to you about meeting with them from time-to-time?

A. Yes, he did.

Q What did he say in that respect?

A. He said he would meet with them at a predetermined location on the North Shore and give them a certain amount amphetamines.

Q Did Mr. Holden say how they would pay for those?

A. Yes. Most times they would pay for it in exchange of certain electric stereo type equipment.

Q Did Mr. Leavitt say anything about meeting with the Holdens at an location other than the Boston area?

A. Yes, he met them in Vermont.

Q Where was the location you were in then?

A. In Chatham, Massachusetts.

Q How long did you remain in Chatham?

A. We stayed for approximately ten days.

Q What took place in Chatham?

A. When Mr. and Mrs. Leavitt returned from Vermont with the bottle of P2P, we proceeded to react to make a quantity of methedrine.

Q Approximately how much was manufactured?

A. Approximately a half pound.

Q What was done with it?

A. It was cut with dextrose and then sold in Newburyport, Massachusetts.

Q And, was the laboratory moved thereafter?

A. It was moved after another batch of P2P was synthesized.

Q Was a batch of Speed made from the batch of P2P?

A. That is correct.

Q Where was the laboratory moved thereafter?

A. It was moved to Wingersheek Beach area of Gloucester, Massachusetts.

Q How was the laboratory packed up?

A. The laboratory was packed as on previous occasions in boxes, insulated, and I would take half of it, and Mr. and Mrs. Leavitt take the other half.

Q Who packed the equipment on that occasion?

A. All three of us.

Q We are now in about August of 1974?

A. That is correct.

Q How long was the cottage rented for?

A. Which one?

Q The one on Wingersheek Beach?

MR. SAXER. May I have the spelling?

MR. O'NEILL. W-i-n-g-a-e-r-s-h-e-e-k.

MR. SAXER. Thank you.

A. For about 2 or 3 weeks the cottage was rented for.

A. It was always our vehicle.

Q Now was there a point in time when you and Mr. Leavitt and Mr. George went into Boston together?

A. Yes, while we were at the Wingaersheek cottage, we made a trip to Boston in our own rented vehicle and went; one vehicle left.

Q When you got into town, what took place? Did you all stay together?

A. Mr. George dropped us off in Somerville after we gave him the money to purchase the necessary chemicals and Mr. Leavitt and myself were stranded without an automobile and transportation back to the North Shore.

Q Did Mr. George say anything to you why he was dropping you off?

A. Yes, he didn't want us to know the location and identity of his chemical sources.

Q What did you and Mr. Leavitt do after being dropped off?

A. We went to a dealer, so-called, and we got a Thunderbird.

Q Was this the 1974 Thunderbird you paid \$900 for in 1974?

A. That is correct.

Q What did you and Mr. Leavitt do thereafter?

A. We drove down to Wingaersheek.

Q Who put up the money for the Thunderbird?

A. Mr. Leavitt and myself.

Q After going back to Wingaersheek, did you see Mr. George thereafter?

A. Yes, he appeared thereafter with the chemicals in our rented car.

Q And, did any manufacturing take place?

A. Well, it had already been done.

Q After Mr. George got back with the chemicals?

A. They were stored for a subsequent period of time.

Q Was there a point in time, thereafter, shortly after that time when you got back the Thunderbird when you went to Carriage House Hotel in Winfield, Massachusetts?

A. Yes, I had to go to await the process of the amphetamine which I had distributed to the South Shore; not wanting the people to come to the laboratory location I directed them to come to the motel with the cash.

Q What took place while you were at that motel?

A. My activities were disrupted or interrupted by the Massachusetts State Police.

Q How would you describe the Massachusetts State Police interrupted your activity?

A. They arrested me for having an unauthorized motor vehicle.

Q And, this was also on the occasion when you were picked up for possession of controlled substances?

A. Yes, I had a small amount of amphetamine substance on

my presence.

Q And, were you incarcerated for any length of time?

A. No.

Q What did you do after being released by the police?

A. I returned to the Wingaersheek laboratory and informed Mr. Leavitt what had happened.

Q And, what effect, if any, did this incident have on your relationship with Mr. Leavitt?

A. It started a shift in our relationship. It was beginning to become strained.

Q And, what effect did this have on your relationship, if any, with Mr. George?

A. Oh, my relationship with Mr. George was also becoming strained.

Q Could you observe any change in the relationship between Mr. George and Mr. Leavitt?

A. Yes, they were becoming very much close.

MR. CLEVELAND. Pardon me, may I have the answer read back.

(The reporter read the last answer)

Q (By Mr. O'Neill) Was there a shift in relationship of any different division of the production of Speed?

A. Yes. Mr. Leavitt, at this point, was taking two-thirds of a yield, and I was only getting one-third of the yield, approximately.

Q Directing your attention to October of 1974, would this have not been long after this incident took place?

A. That is right.

Q And, did you have occasion to make a purchase from Mr. Leavitt?

A. Yes, I did.

Q What did you purchase?

A. I purchased a half pound.

Q Do you recall how much you paid for that?

A. Yes, approximately twenty-three hundred dollars.

Q Did you have anything to do with the manufacturing of that half pound?

A. No, I didn't.

Q How did you contact Mr. Leavitt on that occasion?

A. The only way I could contact Mr. Leavitt at that point was to go through Mr. George and have him relay the message to Mr. Leavitt at the laboratory site.

Q Did you say anything to Mr. George on the telephone as to why you wished to speak with Mr. Leavitt?

A. Yes, I wanted to know what was becoming of my vested interest in the laboratory; why Mr. Leavitt wasn't contacting me on a regular basis.

Q Did you, thereafter, obtain contact with Mr. Leavitt?

A. Only after constantly calling Mr. George was I able to get in contact with him.

Q How did the contact result? Did Mr. Leavitt contact you? How would you describe it?

A. When he could fit me into the schedule.

Q Was there a point in time in November of that year when you went to the Charles Street Station House in Boston?

A. Yes.

Q Who did you meet with there?

A. I met with Jay and Joan Leavitt.

Q Did you consume any type of drug transaction there?

A. Yes, Mr. Leavitt brought with him approximately 6-1/2 ounces of methedrine.

Q What, if any, negotiations was there for that?

A. I gave him approximately twelve hundred dollars in cash.

Q Did you have any discussion with him prior to making the purchase?

A. Not that I can remember.

Q Did you discuss the actual purchase itself?

A. We talked about the purchase and the laboratory was progressing; only in general terms.

Q Who was present during this drug transaction?

A. Myself, Jay and Joan Leavitt.

Q And, what did you do with the money you paid for this? How did you transfer it?

A. I gave the money to Jay Leavitt.

Q Did you observe anything he did with the money?

A. Yes, he counted the money and gave it to Mrs. Leavitt to put in her pocketbook.

Q Directing your attention to shortly before Christmas of 1974, did you have occasion to receive a telephone call from Mr. Leavitt?

A. Yes, I did.

Q And, as a result of that call did you make any arrangements to meet with him at a Mr. Young's apartment?

A. Yes, he asked me to meet at my friend's apartment in Boston.

Q What was the purpose of the meeting?

A. To meet him; it was to transact a drug deal.

Q What was transacted at that meeting?

A. About seven or eight ounces of methedrine.

Q Did Mr. Leavitt say anything to you about the availability of P2P?

A. Yes, he was saying there was a possibility that could become available again through another source.

Q Did he say anything concerning the availability of chemicals to manufacture it with?

A. The chemicals to manufacture the P2P were coming out to be more scarce.

Q Did he say anything concerning the purchase of equipment?
This is, Mr. Leavitt.

A. Yes, he told me he was purchasing, buying more sophisticated equipment from Mr. George.

Q From Christmas on to the next couple of months, describe the kind of contact you had, first of all, with Mr. Daniel George.

A. It was almost constant contact. I had no way of reaching Mr. Leavitt.

Q How were you able to reach MR. Leavitt?

A. Through Mr. George.

Q Did you ever reach Mr. Leavitt by contacting, by going through persons other than Mr. George?

A. Yes. I would call his home phone number of Smyrna Mills, Maine.

Q Did you have any contact through New Hampshire in any respect?

A. I would contact his in-laws' house in Salem, New Hampshire.

Q Directing your attention to February of 1975, did you have any type of meeting on Arthur Street in Quincy?

A. Yes.

Q How was that meeting set up?

A. The meeting was set up through a friend, a mutual friend.

Q Did you go to the meeting?

A. Yes.

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Q Who was present at that time?

A. Jay Leavitt and his wife and myself.

Q What, if anything, did Mr. Jay Leavitt say concerning his ability to obtain P2P?

A. He said that it was now available through the people in Vermont.

Q Did he say anything about any type of new process for the manufacturing of P2P?

A. Yes. He told me he learned a new process also.

Q Did he indicate to you where he had learned it?

A. From Mr. George.

Q Did he say anything concerning whether he was then manufacturing?

A. Yes.

Q What did he say?

A. He said he was manufacturing methedrine.

Q What, if anything, did he say concerning the location?

A. The location was a secret.

Q And, did you, at that point in time, obtain some methamphetamine from him?

A. Yes, I did.

Q Do you recall how much it was that you received?

I think it was a milligram amount at this time.

Q How much did you pay for it?

A. About twenty-seven hundred dollars.

A. He said he sold the one ounce of Speed to his customers and gave Mr. Leavitt the money for the one ounce.

Q Do you recall how much it was?

A. Yes, two hundred ninety dollars.

Q Now, directing your attention to June of 1975 did you have occasion to speak with Mr. Wayne Holden?

A. Yes.

Q And, did you discuss the subject of P2P?

A. We did.

Q What was the subject matter discussed?

A. He told me that he had a quantity of P2P, or ketone, that had recently become available and would I try to get in contact with Mr. Leavitt for the purpose of informing him of his message.

Q What did you indicate in that respect?

A. I indicated to him at this time if he wished to, he could give me the P2P and I would give it to Mr. Leavitt.

Q What did Mr. Wayne Holden indicate in terms of his willingness to do that?

A. He said he didn't want to do it in that manner except that I get the message to Mr. Leavitt.

Q Did you pass any message on?

A. Yes, I did.

Q Who did you pass it on to?

A. I passed it on to Mr. Leavitt through Mr. George.

Q Do you recall what the message was that you gave to Mr. George?

A. Yes. I told him to contact the boys up north that ketone was available.

Q Directing your attention to July of 1975, did you have occasion to make a purchase of Speed from Mr. Leavitt?

A. Yes.

Q Do you recall what the quantity was?

A. Practically half a pound again, I think.

Q Where did this take place?

A. This took place in Gloucester.

Q Do you recall how much you paid for that?

A. Twenty-three hundred dollars.

Q Did Mr. Leavitt say anything concerning the availability of P2P?

A. Yes, he informed me at this time that he was getting P2P from the boys up north.

Q And, did he indicate what the flow situation was like?

A. I am sorry?

Q Did he indicate whether it was a steady flow, or whether he was getting one bottle? What, if anything, did he say in that respect?

A. He said at this point it was a steady supply.

Q Did Mr. Leavitt say anything of where he was manufacturing?

A. No.

A. By telephone.

Q What were the discussions you had with Mr. George?

A. Discussions about the availability of P2P.

Q Now was there any point in time when Mr. George mentioned anything about a quantity of P2P being available?

A. He had informed me Mr. Leavitt told him he had picked up six bottles from the boys up north.

Q Now directing your attention to late September or early October of 1975, did you have occasion to meet Mr. and Mrs. Leavitt at 63 Arthur Street?

A. Yes, I did.

Q Do you recall when that meeting was arranged?

A. That meeting was arranged through Mr. George.

Q And, who was present at the meeting?

A. Myself, Mr. and Mrs. Leavitt.

Q And, did you transfer any money at that time?

A. Yes.

Q What did you transfer?

A. About sixteen hundred dollars.

Q Mr. Leavitt say anything about the status of the Holdens?

A. He informed me that the Holdens had been individually arrested by federal narcotics agents.

Q Did Mr. Leavitt say anything to you as to why this had happened?

A. Yes. One of the Holdens was obtaining P2P from a

Q Was there any discussion about Mr. Leavitt's situation?

A. Yes, we discussed the situation in detail.

Q What did Mr. George have to say with respect to the situation?

A. He was very upset about it and told me that I should now take a more active part in the laboratory operation.

Q Directing your attention to the third week in October of 1975, did you have occasion to receive a call from Mr. Jay Leavitt?

A. Yes, I did, through a friend at the West Quincy address.

Q Did you meet with Mr. Leavitt?

A. Yes, we met. He gave instructions to me to meet him in front of the Sheraton Motor Hotel in Boston.

Q Where did you go from that location? Excuse me. First of all, to back off, who was present at that location?

A. At that location, present was Mr. and Mrs. Leavitt and myself.

Q Did anyone stay at that location?

A. Mrs. Leavitt stayed there on the 19th floor.

Q Where did you go from there?

A. Mr. Leavitt and myself went to a discotheque maximarithon on Commonwealth Avenue.

Q Was there a point in that evening you went to a location, to another town in this area?

A. On the North Shore area, 3:00 a.m. in the morning, we

- Q This ounce of amphetamine you were charged with in the Salem District Court and dismissed in April of this year?
- A. That is correct.
- Q After your release by the Hamilton police, did you have occasion to have communication with Mr. Leavitt?
- A. Not directly.
- Q And did you have occasion, thereafter, to speak with Mr. George?
- A. Yes.
- Q What was the subject matter of your communication?
- A. The subject matter of the communication was I informed Mr. George of my personal situation, that he should relay a message to Mr. Leavitt to get in touch with me. He told me Mr. Leavitt had already informed him that due to my laxity in not being alert enough, being caught with the ounce of methedrine, he no longer wanted any further contact with me.
- Q Did Mr. George say anything to you about his desires with respect to you and laboratories?
- A. He said as far as he was concerned, Mr. Leavitt had made a major blunder dealing with the federal agent. As far as he was concerned, he would like me to take a more active role in the operation.
- Q Directing your attention to November of 1975, did you have occasion to speak with Mr. George concerning any new

A. I was from my college days when I would get equipment. In the chemistry laboratory, we would have to pay for our laboratory bill at the end of the year. I had a pretty good idea of what a laboratory costs.

Q Roughly, how long was it since you had been in college at the time you were dealing with Mr. George?

A. Several years, but also from my chemistry experience we had catalogs and the cost of equipment in 1970.

Q How did the prices in 1970 that you observed in catalogs compare with the prices Mr. George was charging you for your items you knew the prices for?

A. For items I knew the prices, Mr. George was charging a markup of three to four hundred per cent.

Q With respect to going to the vehicle that was used by Mr. George to pick up equipment, if Mr. George used one of your vehicles; that is to say, rented one that belonged to you, for chemicals or equipment, if there is a pattern if it has to be done individually, fine. How did he obtain the vehicle and return with the supplies or whatever type of location?

A. If at the time we had only one rented vehicle, he would take the one rented vehicle and return to the laboratory at this time with the chemicals in the singly rented vehicle. If we had two, we met at a predetermined location and transferred from one to the other. If he used his own

Q (By Mr. Hughes) State your name and address for the record.

A. Dennis Walczewski. My address is the J.F.K. Federal Building, Boston, Massachusetts.

Q How are you employed?

A. Special Agent, Drug Enforcement Administration.

Q How long have you been so employed?

A. As a special agent, two years.

Q What did you do before then?

A. Forensic chemist for the D.E.A. for three years assigned to the Northeast Regional Laboratory in New York City.

Q What is your educational background?

A. A Bachelor of Science Degree in Chemistry from Suffolk University in Boston, a Master Chemistry Degree; attended six months training school program, Bureau of Narcotics and Dangerous Drugs, the identification and manufacturing of drugs and controlled substances. I attended various seminars by private school in the analysis and identification of controlled substances.

Q Drawing your attention to September 17, 1975 were you acting in an undercover capacity?

A. Yes, I was.

Q Did you have occasion to make a phone call to one Daniel George?

A. Yes.

Q What was the purpose of the phone call?

A. To solicit from Mr. George some chemicals and equipment to purchase for a laboratory.

Q What prompted you to call him?

A. I was given Mr. George's number by an agent for further investigation.

Q Did you have a conversation with Mr. George?

A. Yes, I did.

Q What was the substance of this conversation?

A. I asked Mr. George if he could supply me with some chemicals and equipment. He said he could and would I meet with him on September 19th, and he had a few errands to do. While performing the errands, we could discuss what I would be interested in purchasing.

Q On September 19, 1975, did you have, in fact, a meeting with Daniel George?

A. Yes, I did.

Q Is the Daniel George we are talking about present in court?

A. Yes, he is.

Q Identify him, please.

A. He is the gentleman sitting next to the end of the bench facing the Judge. He is seated next to the gentleman with the green coat; he is wearing a blue coat, short

haircut and beard blue shirt.

Q His appearance today, is there any difference than when you saw him?

A. No, there isn't.

Q Where and when did you meet him?

A. I met him on the morning of September 19th at 25 Marsh Street, Gloucester, Massachusetts, with his mother.

Q And, what did you do at this address?

A. From there, I took Mr. George and his mother to downtown Gloucester. At this time, Mrs. George departed the vehicle and proceeded to grocery shopping. From there, Mr. George directed me to the First National Seafood Market where he said he was going to exchange a melon which he had got that was overripe; he did. From there, he took me to Tony's Fruit Market and we spent approximately two hours in Tony's Fruit Market.

Q What were you doing?

A. Purchasing fruit and discussing what I was interested in chemicals and equipment I was interested in purchasing.

Q Two hours seems quite a long time. Did you spend a little time on the fruit?

A. A lot of time on the fruit.

Q Skipping over that, what conversations did you have there?

A. I asked Mr. George if he would supply me with some chemicals and he said he could. I told him, in particular,-

I was interested in purchasing the methylene for making acid.

Q What was his response to that?

A. He said "You are interested in making methamphetamine?" I said, "Yes, I was".

Q Any talk about P2P at this time?

A. Yes, there was.

Q What was that talk?

A. I asked him if he could supply me with a quantity of P2P for acetone. He said he could not, it was highly controlled by the Government and they were watching it, but he offered, if I was interested, in soliciting his research work, he would look up the formula for me, so I could make it for a fee.

Q Now, going back to these methylene and uformic acid, what was his response to that and the fact you were going to make Speed?

A. He also asked me what I did, and I said, "Well, I made a product; I made the product and I did it once or twice a year and made enough profit off it so I did not have to have a legitimate job".

Q Now did there come a time when you asked if he could fill an order for you?

A. I don't understand the question.

Q Did you ask him if he could fill this order for you?

A. For what product?

Q The methylene and uformic acid.

A. I did, yes.

Q What was his response?

A. He told methylene was a hard substitute to come by. He could purchase it, and he believed that was under the control of the Government, and that he would have no problem getting it because he has been dealing with the various chemical companies since he was 12 years old.

Q Now did there come a time when you asked him how long it would take to place an order?

A. Yes.

Q What was his response?

A. He stated if I was interested in purchasing glassware, it would take a day for the order to be filled, but if I was purchasing any chemicals, it would take anywhere from seven to ten days for the order to be filled, and the price would depend upon the difficulty in getting the product; it would be a certain percentage above the cost of the item.

Q So you did ask him how much it would cost?

A. Yes.

Q How did he respond?

A. Depending on the difficulty, it would be tacked onto the price.

Q Did Mr. George ask you if you had ever done this before?

A. Yes, he did.

Q What was your response?

A. I said I had, and after every time I made my product, I destroyed the equipment.

Q Did you ever talk equipment with Mr. George?

A. Yes, I did.

Q What conversation did you have?

A. I asked him if he could supply me with glassware to manufacture a product, and he said he could.

Q Did you indicate what you had done with your equipment that you had used previously?

A. I stated I had broke it all up so I wouldn't be detected.

Q Did there come a time when you asked Mr. George what his occupation was?

A. Yes, there was.

Q What was his response?

A. Mr. George stated to me he had an Associate Degree from Franklin Institute in Boston and that he often tutored chemistry to various high school students in the area; he also stated that he did do research work and would supply chemicals and other apparatus for individuals when they desired to purchase it from him.

Q Did he ever ask you why you didn't buy the chemicals your-

self?

A. Yes, he did.

Q What was your response?

A. I stated if I was to buy all the products myself, there would be a greater chance of me being apprehended.

Q During this time period, first of all, you got the chemistry background?

A. That is correct.

Q Now did Mr. George kind of feel you out to see what you knew about chemistry?

A. Yes, we had a talk about chemistry in general. He told me he was interested in biochemistry. I indicated I was interested more in analytical chemistry.

Q What kind of feeling did you get about his background?

A. I was very impressed with his knowledge and cause of his background.

Q During these conversations, did Mr. George ever state that he had produced any substances?

A. Yes, he did.

Q What did he state?

A. He stated that he produced everything from LSD to cocaine.

Q Was there any talk about the work you could do? About jobs being available?

A. Yes, sir. I asked Mr. George if he knew if there was

A. Myself, Special Agent Hosty, a student trainee with our bureau at that time, John Donnelly, and Mr. George.

Q Approximately what time did you arrive at the United States Courthouse in Boston?

A. I believe around 6:30.

Q Do you recall what time Mr. George was taken before the United States magistrate?

A. No, sir.

Q Approximately how long does it take normally driving in a straight line in normal driving conditions to get from Rockport to Boston?

A. Approximately an hour.

Q Was there another two hours in processing and things of this nature along the way?

A. Yes.

Q Were there any questions asked of Mr. George on the trip to Boston?

A. Yes, sir, there were.

Q First of all, with respect to being a chemistry tutor, were questions asked along that line?

A. Yes, sir.

Q What did Mr. George indicate in that respect?

A. He indicated he was a chemistry tutor again, and that he had schooled certain individuals, Joseph Genest, Jay Leavitt and Kenneth Lotfy; he further stated that the

teachings were done in two phases; one, theoretical phase involving formulas and the second phase was a laboratory phase involving practical laboratory work.

Q Did he say anything concerning any type of course he ever taught, especially to Mr. Lotfy, that can be generally described?

A. He said the course was taught as a refresher course to Mr. Lotfy to enhance his pharmaceutical expenses.

Q Was there any description of the nature of the course that was taught to Mr. Lotfy? Was there any description of the nature of the course taught to Mr. Genest and Mr. Leavitt?

A. I understood it to be the same, but he did not specify.

Q What did Mr. George say concerning where he had taught the course?

A. He stated that the laboratory phase of the course was taught wherever Mr. Lotfy could rent a suitable location.

Q Did Mr. George say anything about the types of persons he would teach chemistry to?

A. He said he would only teach chemistry to those individuals who would not use it as an illegal act, and those people who would not use it for the process of making dangerous drugs.

Q Did he say anything concerning whether he would teach it

Q (By Mr. O'Neill) Now, Mr. Genest, other than the material with respect to the immunity order and other than asking the institution to send clothes to you up here, has the Government made any other commitment or indicated to you it would do anything else in your behalf?

A. No, sir.

Q Now, do you know an individual by the name of Daniel George, Jr.?

A. Yes, I do.

Q How long have you known Mr. George?

A. Ten or eleven years.

Q Would you indicate to us, basically, the context you first knew Mr. George?

A. I was introduced to him by my brother when I was in the last year of elementary school.

Q Would you repeat that?

A. I have known him ten to eleven years. I was introduced to him by my brother the last year of elementary school.

Q Would it be fair to describe both of you from coming from the same area of Massachusetts, basically?

A. Yes, sir.

Q How old are you at the present time?

A. Twenty-four.

Q Now directing your attention to approximately January of 1975, did you have occasion to know an individual by the

name of Peter Roy?

A. Yes, sir.

Q And, basically, did you have any business which you intended to contract at that time with Mr. Roy?

A. Yes, I did.

Q What was the nature of that business?

MR. CLEVELAND. Objection. It is testimony we feel not relevant to this case.

THE COURT. All right. Counsel approach the bench please.

(At the bench)

THE COURT. Government wish to make an offer as to relevancy?

MR. O'NEILL. We are willing to show Mr. Genest's beginning his methamphetamine operations and from that intend to show a meeting with Mr. George to start things out. It is just, more-or-less, a logical starting place.

THE COURT. What does Mr. Roy have to do with it?

MR. O'NEILL. The individual he first met and went into partnership with to first manufacture amphetamine.

THE COURT. By way of background, why isn't that relevant?

MR. CLEVELAND. I guess it is. Withdrawn.

MR. COSGROVE. He was not named as a co-conspira-

tor. It was not a conversation.

THE COURT. He is not asking for conversation.
Overruled.

(End of discussion at the bench)

A. To produce amphetamines.

Q (By Mr. O'Neill) Did there come a point in time also in January of 1975 when you had occasion to go to Mr. Daniel George's residence in Gloucester, Massachusetts?

A. Yes, I went with a man by the name of Deke.

Q What was the purpose in going there?

A. To serve as an introduction to see him about producing amphetamines.

Q To see who?

A. Daniel George.

Q On that particular occasion, why was Deke along?

A. To sort of ensure Danny that I wasn't a narc or anything like that.

Q Now, did you discuss with Mr. George anything to do with a formula for making methamphetamine?

A. Yes, I did.

Q Would you relate that discussion please, basically?

A. I was told Peter Roy had given him an amount of money to do some research on a better way of producing amphetamines and something about producing their own P2P.

Q Did Mr. George give you any indication as to whether he

knew how to manufacture methamphetamine or P2P?

A. Yes, he did.

Q What did he say in that respect?

A. He said he knew a way for each process.

Q Did he say anything to you concerning his willingness to supply a formula for the manufacture?

A. Yes, he did. He said he would give it to us.

Q Was there any price talked about?

A. Peter had said he gave him \$600 for research to look into it.

Q Did Mr. George give any indication at that meeting as to whether that was suitable?

A. He didn't deny it.

Q Now was there a point in time shortly thereafter when you had some telephone communication with Mr. George concerning chemicals?

A. Yes. I called him at his home in Gloucester and told him we needed certain chemicals to make P2P.

Q What did Mr. George say to you in that respect?

A. The chemicals would amount to about five hundred dollars.

Q Did you, thereafter, receive any such chemicals?

A. Yes, I did.

Q How much did you pay for them?

A. Five hundred dollars.

Q Who did you receive them from?

A. Daniel George.

Q Who did you pay the money to?

A. Daniel George.

Q Do you see Mr. George in court, by the way?

A. Yes, I do.

Q Now thereafter, after you obtained the chemicals, do you recall what chemicals it was that you received?

A. Ether solution. I believe.

Q Do you recall the quantity?

A. One or two quarts, I am not sure.

Q Might it have been one or two gallons?

A. Possibly; I am not sure.

Q Now was there a point in time shortly thereafter when you rented a location in New Hampshire?

A. Yes, sir.

Q What was the purpose of that?

A. To produce P2P.

Q And, at that point in time when you rented the location, did you have the formula for P2P?

A. I had a formula, yes.

Q Where had you obtained it?

A. I had one of my own, and I obtained the second one from Daniel George.

Q Approximately when did you receive that one from Daniel George?

A. Middle of January of 1975.

Q Do you recall how much, if anything, the formula cost?

A. It didn't cost anything.

Q And was there a point in time thereafter when you began to manufacture P2P and methamphetamine?

A. Yes, middle to late January, we started.

Q And, where did you obtain the equipment? That is to say, chemicals and laboratory apparatus in which to do this?

A. The stuff, we had some, but the stuff we needed, we obtained it from Danny.

Q Do you recall initially how much money you laid out for the various items you paid out for various items?

A. About \$2,000 for different items.

Q This was money you paid Mr. George?

A. Some of it, yes.

Q Do you recall, approximately, how much of that you paid to Mr. George?

A. Five hundred to one thousand dollars.

Q Was one of the items purchased a heating mantel?

A. Yes, sir.

Q Do you recall offhand how much that cost?

A. Five hundred dollars.

Q Had you ever priced them on the market?

A. No, I haven't looked at exactly what the price was.

Q Did Mr. George charge you five hundred dollars?

A. Yes.

Q Did you have any difficulties with that?

A. I don't understand.

Q Did you have any difficulties with the operation of the heating mantel?

A. Oh, yes. I wasn't quite sure of the procedure how to use it.

Q Did there come a point in time you learned how to use it?

A. Yes.

Q How did you learn that?

A. Danny showed me, instructed me.

Q Do you recall where it was that he instructed you, or when it was, approximately?

A. No, I don't.

Q Would it have been around the point in time we have been discussing?

A. Yes.

Q When Mr. George showed you how to do it, would you describe how it was he showed you? That is to say, did you do it, or did he adjust the mantel, or did you adjust it? Did you tell him, or did he tell you? How would you describe it?

A. He told me what to do.

Q Did he touch the mantel at all?

A. No.

- Q Was the mantel present in the room when you were talking about it?
- A. No, I don't think it was.
- Q What is a heating mantel?
- A. A piece of equipment. It sets in a heating jacket and the mantel is a round glass knob itself.
- Q Is it used for heating up various things in the laboratory process?
- A. Yes.
- Q Now was there a point in time when you received a formula for methamphetamine from Mr. George?
- A. Yes, there was.
- Q Do you recall approximately when that was?
- A. Early February.
- Q Do you recall where it was that you received the formula; physically, where you were?
- A. I was in Peter Roy's car.
- Q Who else was present in the car?
- A. Peter Roy and Danny George.
- Q How did you receive the formula? In what form?
- A. He dictated it to us; we wrote it down.
- Q Now, did Mr. George say anything to you about his willingness to come to the location where you were manufacturing?
- A. No, he wouldn't come there.
- Q Did he say anything to you about his willingness to assist

you in the manufacture of the final product? That is to say, Speed?

MR. COSGROVE. He is leading the witness.

THE COURT. We'll sustain the objection.

Q (By Mr. O'Neill) What, if anything, did Mr. George say concerning the process itself and his participation?

A. Well, if we had any problems we could get in touch with him.

Q Did you have any telephonic communications with Mr. George?

A. Yes, I called him once while we were making some P2P. We had a problem which layer we were to distill.

Q What did Mr. George say to you with respect to that?

A. He suggested we wash the upper layer with distilled water and carry on from there.

Q Did you have difficulty with the vacuum pump?

A. Yes, we had. It was making a lot of noise. We didn't know how to adjust it properly.

Q What did you do about that?

A. Got together with Danny, and he set it up and showed us how to run it properly.

Q Now was there a point in time thereafter when you produced amphetamine and P2P for awhile?

A. Yes, from February to April.

Q Do you know approximately how much you made over that period of time?

A. Thirty ounces. I am not sure.

Q Did you have occasion, from time-to-time, to need chemicals and other apparatus?

A. Yes.

Q Where did you obtain those?

A. From Danny.

Q What, if anything, did you say to Mr. George concerning what you were doing with the chemicals and apparatus?

A. Nothing, really.

Q Was there ever any discussion what you were using the chemicals for?

A. Yes, it was common knowledge we were making amphetamines between us.

Q Now when you received chemicals from Mr. George, what form were they in? In other words, bottles, boxes, plastic bags, how would you describe the form they were in?

A. Plastic bottles. One was a crystal plastic bag.

Q What type of labels were on them?

A. No labels. They were just indicated by the solution or one of the reductor means.

Q When you say "one of the reductor means," were they described any further?

A. Reductor Means A, B, C.

Q Do you know what those were?

A. No, sir.

Q Did you ever make any inquiry about those to Mr. George?

A. I asked him, but he wanted to keep it secret.

Q Now when you wanted chemicals or other apparatus from Mr. George, would you describe the process you went through to obtain them, if there was a regular process?

A. I would call him--we never talked over the phone--made arrangements to see him at his house or somewhere else, and we discussed what we needed, and he would give us a price , and when we had the money we would give it to him, and when he got the equipment, he would call us, and we would pick it up.

Q When you spoke with Mr. George, what, if anything, did you call Speed, if you called it anything other than Speed or amphetamine?

A. I don't understand.

Q Did you have a word to describe amphetamine when talking with Mr. George, other than the term "amphetamine" or "Speed"?

A. Product.

Q Did Mr. George indicate to you where he was getting his chemicals and equipment?

A. No, sir.

Q Now after you called Mr. George and indicated what you wanted, how did you actually, physically obtain the items?

A. When he got them, he would call us, and we would go

and pick them up and make arrangements to meet somewhere.

Q Did you own any type of vehicle during this period of time?

A. Yes, a Dodge van.

Q Was that ever used?

A. Yes, he used it once.

Q When you used "used it once," what did he do with it, or say what he was doing with it?

A. We put in an order for some things, and he didn't have any vehicle, so he asked if he could use mine and I said "Ya," so he used my van.

Q Do you recall approximately when that was?

A. June, 1975.

Q How did you know which reductor means, or Reductor A,B, or C to use at the given place in the formula?

A. It was indicated.

Q Where did you obtain the formula which indicated that?

A. From Danny.

Q Mr. Genest, I show you Government's Exhibits, in evidence, "51," "52," "40," "39," "53," "42," "38," and "54".

(Handed to the witness) Would you look over the photographs. I think there is a van depicted in there, and tell us if you can identify that van, please.

A. Yes, that is my van.

Q You can tell from the photographs it is your van?

A. Yes.

Q Do you know an individual by the name of Kenneth Lotfy?

A. No.

MR. O'NEILL. May I have just a moment, your Honor?

Q (By Mr. O'Neill) Mr. Genest, would it be fair to describe your testimony at this point in time as not covering all the methamphetamine activity you engaged in over that period of time?

A. Would you repeat that, please?

Q Would it be fair to describe your testimony thus far as not going into all the details of the methamphetamine activity, or amphetamine activity, you may have been involved in from January to August?

A. Yes, sir.

Q Have you, basically, indicated to us what your relationship was with Daniel H. George over that period of time, however?

A. Yes.

MR. O'NEILL. That is all we have at this time.

MR. COSGROVE. May we approach the bench?

THE COURT. Yes.

(At the bench)

MR. COSGROVE. Your Honor, this man hasn't testified about my client. From my observations of him and from the way of his demeanor on the stand, with his